

REMARKS

Applicant respectfully requests Petition for Revival of the present application in view of the fact that we now have the requested responses and documents the Examiner requested earlier in the prosecution of this application.

In response to the Examiner's notification that the Oath or Declaration is defective, we have attached the oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date and have corrected the language as instructed by the Examiner.

35 U.S.C. §102(b)

Since the variety 'Corso' has not been commercialized, or publicly used, there can be no basis for the rejection under 35 U.S.C. § 102(b). Even though 'Corso' has been described in a printed publication, these publications do not enable production of 'Corso'. The publications do not provide a method of making 'Corso'. Plants of 'Corso' are not publicly available.

Requirement for Information Under 37 CFR 1.105

With respect to the requirement for information under 37 CFR § 1.105 regarding sale or other public distribution of the claimed plant variety, the variety 'Corso' has not been commercialized or publicly used anywhere in the world. Copies of the published application, variety denomination and registration are attached hereto.

**Objections to the Disclosure and Claim Rejection
Under 35 U.S.C. §112 (first and second paragraphs)**

In response to the Examiner's alphabetical listing of questions A through R under 35 U.S.C. §1.112, we have listed our responses in alphabetical order to answer each of the Examiner's questions. The specification has been amended in accordance with these responses.

- A. The specification is amended to change "erected" to "erect".
- B. The age of the described plant is between 100 - 120 days after planting the bulbs. The plants were grown at 12/13°C and 17/18°C in a greenhouse. The average daylight

during cultivation from April to July was 12 - 18 hours per day. Fertilizers like Fe and Ca are applied depending on the conditions of the soil in which the bulbs are planted. Average watering rate is 2 times 5 min. per day during the cultivation period. The quantity of irrigation strongly depends on the outside temperatures and light levels.

C. The specification has been amended to delete “pedicel” and substitute “leaves”.

D. The plant grows to 120 cm. and depends on temperature.

E. The RHS colour value for the anthocyanin pigmentation present in spots and stripes is RHS 199B.

F. The specification is amended to recite “per plant”.

G. The specification has been amended to add the following information:

Leaf apex shape: pointed

Leaf base shape: convex

Bulb shape: concave

Bud shape descriptor: ??

Bud diameter: 2 cm.

Tepal length: 7-8 cm.

Tepal width: 3.5 cm.

Tepal (inner and outer) shape: pointed

Pedicel length: 2.5 cm (depending on growing conditions)

Pedicel diameter: 2 mm.

H. The specification as amended to add the following information:

Upper surface of the foliage: RHS 132 B

Lower surface of the foliage: RHS 132 C

Bulb colour: RHS 85D

Flower mid-vein colour: RHS 144D

Colour of dark spots and markings: RHS 60C

Pedicels: RHS 132D

Anther: RHS 158B

Filament: RHS 145C

Pollen: RHS 34B

Pistil: RHS 142D

I. It takes an average of 2 to 3 weeks (depending on growing conditions) to unfurl the buds. No typical environmental conditions, besides an increase of the average temperature, are needed.

J. The size as set forth on page 4, line 20 is the size of the flower diameter

K. The plant spread at the time the plant is mature is 25 -35 cm. depending on growing conditions.

L. The instant plant is not resistant against diseases/pests and moderate susceptible compared to the species as a whole.

M. The instant plant's fragrance is medium strong.

N. The lastingness of the individual bloom of the instant plant is about 10 days, depending on the environmental conditions.

O. The cold hardiness of the instant plant is average. The plant can be grown in temperatures from 10 - 30°C.

P. The recitation on page 5 pertains to filaments

Q. Regarding the flower buds the applicant agrees with the Examiner. The light-green colour is RHS 135C at the stage of new formed buds.

R. The applicant confirms that the hits showed are drawn to the instant plant.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should an improper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date August 4, 2003

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